

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 24-cv-21929-BLOOM/Elfenbein

ZACHARY GRIFFIN,

Plaintiff,

v.

MOTORSPORT GAMES INC.,

Defendant.

**PLAINTIFF’S REPLY STATEMENT OF MATERIAL FACTS IN SUPPORT OF
MOTION FOR SUMMARY JUDGMENT**

Plaintiff Zachary Griffin, by and through his undersigned counsel and pursuant to Fed. R. Civ. P. 56 and S.D. Fla. L.R. 56.1, hereby submits this reply to Defendant Motorsport Games Inc.’s Statement of Additional Facts [D.E. 55]:

1. Objection. Defendant’s Statement of Additional Facts does not comply with Local Rule 56.1, which requires that “[a]ny additional facts that an opponent contends are material to the motion for summary judgment shall be numbered and placed immediately after the opponent’s response to the movant’s Statement of Material Facts.” S.D. Fla. L.R. 56.1(b)(2)(D). Despite this requirement, Defendant’s Additional Facts consists of an unnumbered sentence, where Defendant “incorporates . . . by reference its Statement of Material Facts.” D.E. 55, p.6. This is also a violation of the requirement that Statements of Material Facts “[c]onsist of separately numbered paragraphs, limited as far as practicable to a single material fact.” S.D. Fla. L.R. 56.1(b)(1)(B). Therefore, the Court should “strike the Statement, . . . or enter other sanctions that the Court deems appropriate.” S.D. Fla. L.R. 56.1(d). To the extent a response is required, Plaintiff incorporates by reference his Response to Defendant’s Statement of Material Facts. *See* D.E. 52.

Dated: April 11, 2025

Respectfully submitted,

By: /s/Eduardo A. Maura
Eduardo A. Maura, Esq.
Florida Bar No. 91303
eduardo@ayalalawpa.com
Luis F. Quesada Machado, Esq.
Florida Bar No. 1010305
lquesada@ayalalawpa.com
Ayala Law, P.A.
2490 Coral Way, Ste 401
Miami, FL 33145
P: (305) 570-2208
F: (305) 503-7206
Counsel for Plaintiff

CERTIFICATE OF SERVICE

I certify that on April 11, 2025, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will serve a copy of it by Notice of Electronic Mail to all counsel of record.

By: /s/Eduardo A. Maura
Eduardo A. Maura, Esq.
Florida Bar No. 91303